AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A chemical amplifying type positive resist composition comprising: (A) a resin becoming alkali-soluble due to the action of an acid and having at least one type of polymerization unit selected from those derived from monomers having an admantane group, (B) an acid generating agent, (C) a basic compound selected from amines, and (D) a polyvalent carboxylic acid ester selected from adipic acid esters, sebacic acid esters, azelaic acid esters, maleic acid esters and citric acid esters.

2. (Cancelled)

3. (Previously Presented) The chemical amplifying type positive resist composition according to claim 1, wherein the component (A) has a polymerization unit derived from 2-methyl-2-adamantyl (meth)acrylate or 2-ethyl-2-adamantyl (meth)acrylate.

4. (Previously Presented) The chemical amplifying type positive resist composition according to claim 1, wherein a resin having a polymerization unit derived from hydroxystyrene and a polymerization unit derived from 2-methyl-2-adamantyl (meth)acrylate or 2-ethyl-2-adamantyl (meth)acrylate.

5. (Previously Presented) The chemical amplifying type positive resist composition according to claim 1, wherein the component (B) is selected from onium salt compounds, organo-halogen compound of triazine type, sulfone compounds and sulfonate compounds.

6. (Original) The chemical amplifying type positive resist composition according to claim 1, wherein the component (C) is selected from basic nitrogen-containing organic compounds.

7. (Cancelled)

8.-10. (Cancelled)

11. (Previously Presented) The chemical amplifying type positive resist composition according to claim 1, wherein the componenet (D) is slected from di-n-hexyl adipate, n-hexyl-n-octyl adipate, di-2-ethylhexyl adipate, n-hexyl-n-decyl adipate, di-n-octyl adipate, diisononyl adipate, n-octyl-n-decyl adipate, di-n-decyl adipate, di-2-ethylhexyl sebacate, di-2-ethylhexyl azelate, di-2-ethylhexyl maleate and O-acetyl tributyl citrate.